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Docket No. P07 42029

Declaration For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

A Herpes Simplex Virus Type 1 (HSV-1)-Derived Vector for Selectively Inhib. Malig. Cells and Methods for Its Use to Treat Cancers and to Express Desired Traits in Malignant and Non-Malignant Mammalian Cells

the specification of which

(check one)			
☐ is attached hereto	D.		
was filed on Apr	il 26, 1999	as United States Application No.	or PCT International
Application Numb	oer <u>09/299,817</u>		
and was amende	d on		
		(if applicable)	
		understand the contents of the above in amendment referred to above.	dentified specification,
I acknowledge the duknown to me to be Section 1.56.	uty to disclose to the material to patenta	e United States Patent and Trademark bility as defined in Title 37, Code of	Öffice all information Federal Regulations,
Section 365(b) of an any PCT Internation States, listed below a patent or inventor's c	ly foreign application lal application whic and have also ident certificate or PCT Int	under Title 35, United States Code, n(s) for patent or inventor's certificate, the designated at least one country of ified below, by checking the box, any ternational application having a filing designation.	or Section 365(a) of other than the United foreign application for
Section 365(b) of an any PCT Internation States, listed below a patent or inventor's capplication on which	ly foreign application in application which application which and have also identicertificate or PCT Interiority is claimed.	n(s) for patent or inventor's certificate, the designated at least one country of ified below, by checking the box, any the country are the country and the box, and the country is the country and the country are the country and the country are the countr	or Section 365(a) of other than the United foreign application for
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Form PTO-SB-01 (9-95) (Modified)

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Patent and Trademark Office-U.S. DEPARTMENT OF COMMERCE

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	
Steven L. Wechsler	
Sole or first inventor's signature	Date (-18-95
Residence 4401 Sevenoaks Court, Westlake Village, CA 91361	6-70-11
Citizenship U.S.A.	
Post Office Address	
Same as above	
Full name of second inventor, if any Anthony B. Nesburn	
Second inventor's signature MAR Ou	6/18/99
Residence 18128 Wakecrest Drive	
Citizenship Malibu, CA 90265	
Post Office Address Same as above	
full name of third inventor, if any Guey-Chuen Perng	
hird inventor's signature	Date
I Con Sur	6-18-99
esidenbe 117 South Fifth, Apt. A, Alhambra, CA 91801	
itizenship aiwan	
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Post Office Address Bame as above	
ull name of fourth inventor, if any	
ull name of fourth inventor, if any ohn S. Yu purth inventor's signature	Date 6 (3 / 2 G
ame as above uill name of fourth inventor, if any ohn S. Yu ourth inventor's signature esidence 929 Linda Flora Drive, Los Angeles, CA 90077	Date ら(オ <i>(</i> タタ
ull name of fourth inventor, if any ohn S. Yu ourth inventor's signature esidence 929 Linda Flora Drive, Los Angeles, CA 90077 dizenship S.A.	
ull name of fourth inventor, if any	

and the state of t

Full name of fifth inventor, if any Keith L. Black	
Fifth Inventor's signature	6-22-99
Residence 1233 Roberto Lane, Los Angeles, CA 90077	
Citizenship U.S.A.	
Post Office Address	
Same as above	
Full name of south inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	
Full name of seventh inventor, if any	
Seventh inventor's signature	Date
Residence	
Citizenship	
Post Office Address	
Full name of eighth inventor, if any	
Eighth inventor's signature	
Residence	Date
Citizenship	
Post Office Address	

P07 41735

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Steven L. Wechsler; Anthony B. Nesburn, Guey-Chuen Perng,

John S. Yu and Keith L. Black

Serial No.

09/299,817

Filed:

April 26, 1999

For:

A HERPES SIMPLEX VIRUS TYPE 1 (HSV-1)-DERIVED VECTOR

FOR SELECTIVELY INHIBITING MALIGNANT CELLS AND

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METHODS FOR ITS USE TO TREAT CANCERS AND TO EXPRESS

DESIRED TRAITS IN MALIGNANT AND NON-MALIGNANT

MAMMALIAN CELLS

Examiner:

Unassigned

Unit:

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POWER OF ATTORNEY

Assistant Commissioner for Patents Washington, D. C. 20231 Dear Sir

The undersigned assignee of the entire interest in the above-identified patent application hereby appoints the following attorneys and/or agents, Laurence H. Pretty, Esq., 25,312; Robert A. Schroeder, Esq., 25,373; Edward G. Poplawski, Esq., Reg. No. 33,439; Jeffrey F. Craft, Esq., Reg. No. 30,044, Richard A. Wallen, Esq., Reg. No. 22,671; Michael J. MacDermott, Esq., Reg. No. 29,946; Anne Wang, Esq., Reg. No. 36,045, Paul D. Tripodi, Esq., Reg. No. 40,847; Marc E. Hankin, Esq., Reg. No. 38,908, Donald C. Kordich, Esq. Reg. No. 38,213; J. Christopher James, Esq., Reg. No. 40,660; Viviana Amzel, Esq., Reg. No. 30,930, Daniel C. Mallery, Esq., Reg. No. 33,532; Michael L. Crapenhoft, Esq., Reg. No. 37,115; and Nisan A. Steinberg, Esq., Reg. No. 40,345, to prosecute and transact all business in the US Patent and Trademark Office relating to this application, this appointment

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to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of Rule 32 of the Patent Office Rules of Practice.

Please send all future correspondence to:

Edward G. Poplawski, Esq.
PRETTY, SCHROEDER & POPLAWSKI
444 South Flower Street- 19th Floor
Los Angeles, CA 90071

and direct all telephone calls to: Nisan A. Steinberg, Esq., Ph.D. at Ofc: 213/622-7700 Fax: (213) 489-4210.

Respectfully submitted,

CEDARS-SINAI MEDICAL CENTER

Dated -4/29

Peter E. Braveman

Senior Vice-President for

Legal Affairs and General Counsel

S:\AWE\CEDAR\42029POA 519

10 PAGE 10 C Page 1 of 2

VERIFIED STATEMEN DECLARATION) CLAIMING SMALE ENTITY STATUS (37 CFR 1.9(f) AND 1.27 (d)) - NONPROFIT ORGANIZATION

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Docket No. **P07 42029**

STATU	STATUS (37 CFR 1.9(f) AND 1.27 (d)) - NONPROFIT ORGANIZATION P07 42029					
Serial No.		Filing Date	Patent No.	1	Issue Date	
09/299,817		04/26/99	_			
Applicant/ Patentee:	Steven L. Wechsler, An	thony B. Nesburn, Guey-	Chuen Perng, John S. Yu, an	d Keith L.	Black	
Invention:	A HERPES SIMPLEX	VIRUS TYPE 1 (HSV-1)-DERIVED VECTOR FOR	SELECTI	VELY	
I	NHIBITING MALIGN	ANT CELLS AND MET	HODS FOR ITS USE TO TR	EAT CAN	CERS AND	
1	O EXPRESS DESIRE	TRAITS IN MALIGNA	ANT AND NON-MALIGNAN	IT MAMM	IALIAN CELLS	
I hereby de	clare that I am an offic	al empowered to act on	behalf of the nonprofit orga	nization ide	entified below:	
	ORGANIZATION:	CEDARS-SINAI MEDI	CAL CENTER			
ADDRESS	OF ORGANIZATION:					
		Los Angeles, CA 90048				
		•				
TYPE OF N	ONPROFIT ORGANIZ	ATION:				
	University or other In	stitute of Higher Educati	on			
×	Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3))					
	Nonprofit Scientific of Name of State:	r Educational under Stat	tute of State of The United S Citation of Statute:	tates of Ar	nerica	
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		nprofit Scientific or Educ d in The United States o	cational under Statute of Sta f America Citation of Statute:	te of The U	Jnited States of	
37 C.F.R. 1	clare that the above-id f.9(e) for purposes of in described in:	entified nonprofit organi paying reduced fees to	zation qualifies as a nonpro the United States Patent ar	fit organiz id Tradem	eation as defined in ark Office regarding	
	the specification to be filed herewith.					
8	the application identified above.					
כ	the patent identified a	bove.				
I hereby de with regard	clare that rights under to the above identified	contract or law have be invention.	en conveyed to and remain	with the no	onprofit organization	
organization person, oth	n having rights to the i er than the inventor, v ich would not qualify a	nvention is listed on the who could not qualify as	anization are not exclusive e next page and no rights to s an independent inventor u ern under 37 CFR 1.9(d) or	the invent	tion are held by any FR 1.9(c) or by any	

obligation und	er contract	or law to as	ssign, grant, coi	nvey, or license any rights	conveyed, or I s in the inventio	licensed or am under an on is listed below:
			r organization e n or organizatior	xists. n is listed below.		
FULL NAME ADDRESS		-				
FULL NAME ADDRESS		Individual		Small Business Concern		Nonprofit Organization
FULL NAME		Individual		Small Business Concern		Nonprofit Organization
ADDRESS FULL NAME		Individual		Small Business Concern		Nonprofit Organization
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TITLE IN ORGA	ANIZATION	1 :	Cedars-Sinai N			
ADDRESS OF	PERSONS	SIGNING:		esident for Legal Affairs a	nd General Cou	

ASSIGNMENT

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WHEREAS, Steven L. Wechsler of Westlake Village, CA; Anthony B. Nesburn of Malibu, CA; Guey-Chuen Perng of Alhambra, CA; John S. Yu and Keith L. Black both of Los Angeles, CA; Assignors, have invented a new and useful A HERPES SIMPLEX VIRUS TYPE 1 (HSV-1)-DERIVED VECTOR FOR SELECTIVELY INHIBITING MALIGNANT CELLS AND METHODS FOR ITS USE TO TREAT CANCERS AND TO EXPRESS DESIRED TRAITS IN MALIGNANT AND NON-MALIGNANT MAMMALIAN CELLS for which an application for United States Letters Patent was executed on April 26, 1999, Serial No. 09/299,817; and

WHEREAS, Assignors believe themselves to be the original and joint inventors of the invention disclosed and claimed in the application for Letters Patent; and

WHEREAS, Cedars-Sinai Medical Center, a non-profit, public benefit corporation, having a place of business at 8700 Beverly Boulevard, Los Angeles, California 90048, Assignee, desires to acquire by formal, recordable assignment the entire right, title and interest in and to the invention, the application, and any Letters Patent that might be granted for the invention in the United States and throughout the world;

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors hereby sell, assign and transfer to Assignee, the entire right, title and interest in and to the invention, the application, and any Letters Patent that might be granted for the invention in the United States and throughout the world, including the right to file foreign applications directly in the name of Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignors agree that, upon request and without further compensation, but at no expense to Assignors, their legal representatives and assigns will perform all lawful acts, including the execution of papers and the giving of testimony, that might be necessary or desirable for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for the invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to the invention, the application, and any Letters Patent granted for the invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted by this Assignment.

Assignors authorize and request the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for the invention, whether on the application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in the invention.

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IN WITNESS WHEREOF, Assignors have executed this Assignment.

Assignors,

Date: 6-11-98

Steven L. Wechsler

Date: 1-18-99

Anthony B. Nesburn

Date: 6-18-99

Guey-Chuen Perng

Date: 6/7/99

John S. Yu

Date: 6-22-99

Keith L. Black

State of California

SS.

County of Los Angeles

On this day of day, in the year of 1999, before me personally appeared Steven L. Wechsler, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year of this certificate first above written.

JUNE- ELLEN MILLER
Commission #1149316
Notary Public - California
Los Angeles County
My Comm. Expires Aug 25, 2001

Notary Public in and for Said

County and State

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State of California

SS.

County of Los Angeles

On this day of day, in the year of 1999, before me personally appeared Anthony B. Nesburn personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year of this certificate first above written.

JUNE- ELLEN MILLER
Commission #1149316
Notary Public - California
Los Angeles County
My Comm. Expires Aug 25, 2001

Notary Public in and for Said
County and State

1- Elew miller

State of California

SS.

County of Los Angeles

On this day of day, in the year of 1999, before me personally appeared Guey-Chuen Perng, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year of this certificate first above written.

JUNE- ELLEN MILLER
Commission #1149316
Notary Public - California
Los Angeles County
My Comm. Expires Aug 25, 2001

Notary Public in and for Said County and State webstrance , we are retablished the stars and according to restaurch a front and a way . All days is a section with the second will

State of California SS. County of Los Angeles

On this _____ day of _____, in the year of 1999, before me personally appeared John S. Yu, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed it. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year of this certificate first above written.

JUNE- BLEN MILLER Commission #1149316 Notary Public - California Los Angeles County My Comm. Expires Aug 25, 2001

ine-Ellen Miller Notary Public in and for Said County and State

State of California SS. County of Los Angeles

On this $22^{\mu\nu}$ day of $\sqrt{|u\nu|}$, in the year of 1999, before me personally appeared Keith L. Black, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year of this certificate first above written.

JUNE- ELLEN MILLER Commission #1149316 Notary Public - California Los Angeles County My Comm. Expires Aug 25, 2001

Notary Public in and for Said

County and State